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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

FEB 29 2008

**MOTION AND ORDER TO DISMISS**

NOW COMES the United States of America, by and through its attorneys, Ronald J. Tenpas, Assistant Attorney General for the Environment and Natural Resources Division, United States Department of Justice, and Deborah Harris, Assistant Chief, Environmental Crimes Section, and in the exercise of prosecutorial discretion moves this Honorable Court to dismiss the Indictment as it charges the above-captioned defendant.

RONALD J. TENPAS  
Assistant Attorney General

By: Deborah Harris  
Deborah Harris  
Assistant Chief

Dated: 2/7/08

IT IS SO ORDERED this 4<sup>th</sup> day of March, 2008.

HONORABLE GREGORY M. SLEET  
Chief Judge, United States District Court

FILED  
MAR - 4 2008  
U.S. DISTRICT COURT  
DISTRICT OF DELAWARE